

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA

BLACK EMERGENCY RESPONSE TEAM,
et al.,

Plaintiffs,

v.

JOHN M. O'CONNOR, *et al.*

Defendants.

No. 21-cv-1022-G

MOTION TO EXTEND TIME TO RESPOND TO PLAINTIFFS'
SUPPLEMENTAL PAPERS BY DEFENDANTS 1-18

On August 8, 2022, Plaintiffs filed a motion for leave to file supplemental papers relating to recent enforcement actions involving the law being challenged and Oklahoma public schools. On August 24, this Court granted the motion and gave Defendants the option to respond by September 2, 2022. Defendants 1-18 now move for an additional five (5) days to file their response, until September 7, 2022.

First, undersigned counsel for Defendants 1-18 has a Tenth Circuit brief due on the same day as the current supplemental response is due, in a case involving the upcoming elections. *See Jones v. Stitt*, No. 22-6094 (10th Cir.). Moreover, counsel for Defendants 1-18 has spent much of the past week responding to and dealing with emergency filings at the Oklahoma Supreme Court in an initiative petition case. *See Nichols v. Zirrax*, No. 120,646 (Okla. Supr. Ct.). This included drafting and filing a primary response brief in just 48 hours and participating in an oral argument the next day, as ordered by that court.

Second, although counsel has in the past requested and received extensions to respond to Plaintiffs' preliminary injunction motion, this is the first time counsel for Defendants 1-18 has requested an extension to respond to the supplemental papers.

Third, Plaintiffs' counsel has been contacted, and they oppose the requested extension on the ground that the underlying matter is urgent. Counsel for other Defendants have no objection to the extension.

Fourth, Defendants 1-18 do not believe that a mere five-day extension would impact the trial schedule or any other deadline, nor would it delay this Court from deciding the underlying motion in any significant way.

Thus, Defendants 1-18 respectfully request that this Court extend the time of Defendants 1-18 to respond to the supplemental papers until September 7, 2022.

Respectfully submitted,

s/ Zach West

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